

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	CASE NO. 5:05cr317-01
	)	
Plaintiff	)	JUDGE SOLOMON OLIVER, JR.
	)	
vs.	)	
	)	<u>ORDER ACCEPTING PLEA</u>
JEFFREY L. MARLER	)	<u>AGREEMENT, JUDGMENT, AND</u>
	)	<u>REFERRAL TO U.S. PROBATION</u>
Defendant	)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge **Kenneth S. McHargh** regarding the change of plea hearing and plea agreement of **Jeffrey L. Marler** which was referred to the Magistrate Judge with the consent of the parties.

On **June 29, 2005**, the government filed a **one**-count indictment against **Jeffrey L. Marler** for **Prohibition on Purchase/Ownership/Possession of Body Armor by Violent Felons** in violation of **Title 18 Section 931**. On **July 11, 2005**, a hearing was held in which **Jeffrey L. Marler** entered a plea of not guilty before Magistrate Judge **Hemann**, waived **his** right to a detention hearing and executed a waiver. On **December 16, 2005**,

Magistrate Judge **McHargh** received **Jeffrey L. Marler**'s plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered. Magistrate Judge **McHargh** filed **his** R&R on **December 16, 2005**.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. **Jeffrey L. Marler** is found to be competent to enter a plea and to understand **his** constitutional rights. **He** is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, **Jeffrey L. Marler** is adjudged guilty of Count **One** in violation of **Title 18 Section 931**. This matter is referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on **March 7, 2006** at **10:00 a.m.** in Courtroom 17A.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.  
UNITED STATES DISTRICT JUDGE